

ESTTA Tracking number: **ESTTA123597**

Filing date: **02/06/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92045147
Party	Defendant Gay & Lesbian Yellow Pages, Inc. Gay & Lesbian Yellow Pages, Inc. Ste. 480 4200 Montrose Blvd. Houston, TX 77006
Correspondence Address	John S. Egbert EGBERT LAW OFFICES 412 MAIN ST., 7TH FLOOR HOUSTON, TX 77002 UNITED STATES mail@egbertlawoffices.com
Submission	Answer
Filer's Name	John S. Egbert
Filer's e-mail	mail@egbertlawoffices.com
Signature	/2178-1/
Date	02/06/2007
Attachments	2178-1 Answer to Amended Petition to Cancel.pdf (4 pages)(36816 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 2,119,139

Registered on: December 9, 1997

METRO Q,

Petitioner,

v.

GAY & LESBIAN YELLOW PAGES, INC.,

Registrant.

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Cancellation No. 92045147

**ANSWER TO(Corrected) FIRST AMENDED PETITION
FOR CANCELLATION OF REGISTRATION 2,119,139**

Registrant, Gay and Lesbian Yellow Pages, Inc. ("GLYP" or "Registrant"), by its undersigned attorneys, answers the (Corrected) First Amended Petition for Cancellation filed by MetroQ ("Petitioner") regarding GLYP's trademark Registration No. 2,119,139 for the mark GAY YELLOW PAGES as follows, with each numbered paragraph corresponding to each numbered paragraph in the "Petition for Cancellation." Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations in the introductory paragraph, and therefore denies the same.

1. Denied.

2. Registrant admits that it is the owner of Registration Number 2,119,139 for the mark GAY YELLOW PAGES and that the registration covers "telephone directories and related advertising services directed at various gay and lesbian communities and markets nationwide."

3. Denied.

4. Registrant admits that it executed a declaration dated May 6, 1996 that was filed with its application on July 1, 1996 and that included the language that "to the best of his/her knowledge

and belief no other person, firm, corporation, or association has the right to use the above identified mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive." Registrant further admits that it has taken the position that Petitioner's current and/or proposed use of "Gay Pages" in connection with a classified directory that directly competes with Registrant's telephone directories and related advertising services is confusingly similar to Registrant's registered mark. Registrant denies the remaining allegations of this paragraph.

5. Registrant admits that it filed a declaration asserting substantially exclusive and continuous use of its mark for a period of five years preceding the date of the declaration. Registrant denies the remaining allegations of this paragraph.

6. Denied.

7. Denied.

8. Denied.

9. Registrant admits that it took the position that Petitioner's current and/or proposed use of "Gay Pages" in connection with a classified directory that directly competes with Registrant's telephone directories and related advertising services is an infringement of Registrant's registered mark. Registrant denies the remaining allegations of this paragraph.

Wherefore, Registrant respectfully requests that this cancellation proceeding be dismissed and its registration be maintained.

Respectfully submitted,

February 6, 2007	/2178-1/
Date	John S. Egbert Reg. No. 30,627 Egbert Law Offices 412 Main Street, 7 th Floor Houston, Texas 77002 (713)224-8080 (713)223-4873 (Fax) ATTORNEY FOR REGISTRANT GAY & LESBIAN YELLOW PAGES, INC.

CERTIFICATE OF SERVICE

I hereby certify that Registrant's Answer to (Corrected) First Amended Petition for Cancellation of Registration 2,119,139 is being sent by first class mail on this 6th day of February 2007 to the attorney of record for Petitioner at the following address:

Kenneth R. Glaser
Lisa R Hemphill
Gardere Wynne Sewell LLP
3000 Thanksgiving Tower
1601 Elm Street, Suite 3000
Dallas, Texas 72501-4761
Tel: 214-999-3000
Fax: 214-999-4667

ATTORNEYS FOR PETITIONER
METRO Q

/2178-1/

John S. Egbert
Reg. No. 30,627
Egbert Law Offices
412 Main Street, 7th Floor
Houston, Texas 77002
(713)224-8080
(713)223-4873 (Fax)

ATTORNEY FOR REGISTRANT
GAY & LESBIAN YELLOW PAGES, INC.